GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department - Surprise check conducted over the Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District on 12.03.2016 – Allegations of Corruption – Common Disciplinary proceedings initiated- Inquiry under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991- Articles of Charge framed against Sri C.V.Narayana Reddy, Commercial Tax Officer, Commercial Taxes Department – Orders-Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.459 **Dated:03.04.2019**
Read:

G.O.Ms.No.263, Revenue (Vigilance – II) Department, Dt:03.04.2019.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri C.V.Narayana Reddy, Commercial Tax Officer, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri C.V.Narayana Reddy, Commercial Tax Officer, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri C.V.Narayana Reddy, Commercial Tax Officer, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

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6. Attention of Sri C.V.Narayana Reddy, Commercial Tax Officer, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Sri C.V.Narayana Reddy, Commercial Tax Officer, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) **through** the Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Revenue (Commercial Tax – I) Department.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI CHENASANI VENKATA NARAYANA REDDY, S/O C.VENKATA REDDY, AGE 56 YEARS, COMMERCIAL TAX OFFICER, ADMINISTRATIVE OFFICER, INTEGRATED CHECK POST PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.No.3/SCACB/SKL/2016 SRIKAKULAM RANGE.

Sri Chenasani Venkata Narayana Reddy, S/o Venkata Reddy, Commercial Tax Officer and Administrative Officer of Integrated Check Post, Itchapuram joined in Government Service on 16-03-1989 as Assistant Commercial Tax Officer in Commercial Taxes Department. He was promoted as Deputy Commercial Tax Officer on 04.04.2001 and he worked as such at Rayadurg, Srikalahasti and other places and he was further promoted as Commercial Tax Officer on 15.06.2006 and worked as such at Nellore, Marlapuram, Hissamgunj, Alcotgardens, Brodipet. Later he was transferred to Integrated Check Post, Itchapuram and he worked as Administrative Officer, Integrated Check Post, Itchapuram from 22.10.2015 and committed the following grave mis-conduct in as much as.

CHARGE-I:-

He failed to maintain the attendance register and implement the instructions of the superiors in this regard and also failed to comply the orders issued by the Government to maintain a notice board with phone numbers of higher authorities to report grievances in the check post premises.

CHARGE-II:-

He failed to physically verify the goods that were being transported through the transport vehicles and records of the vehicles.

CHARGE-III:-

He also failed to supervise the work turned out by his subordinates and allowed them to collect mamools from the crew members by engaging the brokers throughout the day and made it as a routine practice. By holding a supervisory post, he failed to take all possible steps to ensure the integrity and devotion to duty by all his subordinates working under his control and authority.

Thus, Sri Chensani Venkata Narayana Reddy, Commercial Tax Officer and Administrative Officer of the check post, Itchapuram by his above mentioned acts exhibited lack of integrity, devotion to duty, slack supervision and conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules,1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST CHENASANI VENKATA NARAYANA REDDY, S/O. C.VENKATA REDDY, AGE 56 YEARS, COMMERCIAL TAX OFFICER, ADMINISTRATIVE OFFICER, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.3/SC-ACB/SKL/2016 SRIKAKULAM RANGE.

Sri Chenasani Venkata Narayana Reddy, S/o Venkata Reddy, Commercial Tax Officer and Administrative Officer of Integrated Check Post, Itchapuram is native of Darsimala, Dharmavaram Mandal, Ananthapur District. His date of birth is 10.08.1960. He joined in Government Service on 16-03-1989 as Assistant Commercial Tax Officer in Commercial Taxes Department. He was promoted as Deputy Commercial Tax Officer on 04.04.2001 and he worked as such at Rayadurg, Srikalahasti and other places and he was further promoted as Commercial Tax Officer on 15.06.2006 and worked as such at Nellore, Marlapuram, Hissamgunj, Alcotgardens, Brodipet. Later he was transferred to Integrated Check Post, Itchapuram and he worked as Administrative Officer, Integrated Check Post, Itchapuram from 22.10.2015. He is drawing basic pay of Rs.82,950/- and he is attaining superannuation on 31.08.2020. He is here-in-after called as Government Servant.

CHARGE-I:-

He failed to maintain the attendance register and implement the instructions of the superiors in this regard and also failed to comply the orders issued by the Government to maintain a notice board with phone numbers of higher authorities to report grievances in the check post premises.

CHARGE-II:-

He failed to verify the goods physically that are being transported through the transport vehicles and records of the vehicles.

FACTS AND EVIDENCE:-

On receipt of credible information that the officials and employees of integrated check-post of Itchapuram were indulging in corrupt practices and habitually collecting illegal gratification and directly and through unauthorized private persons and allowing the vehicles pass through the check-post without verifying the vehicle records and goods being transported therein and there by passing huge loss to the Government exchequer, the officials of the Anti Corruption Bureau, Srikakulam Range conducted a surprise check on the integrated check-post, Purushottapuram, Srikakulam from 04.30 AM to 09.30 AM on 12.03.2016.

The surprise check party noticed that some persons were collecting mamools from the crew members and owners of the vehicles on behalf of the employees of the check post at the counters of Commercial Taxes Department and Agricultural Market Committee

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of Integrated Check post and apprehended the four private persons, when they tried to escape from the aforesaid counters and seized an amount of Rs.24,660/- from their possession and examined them and recorded their statements. During the proceedings, the Deputy Superintendent of Police and his staff thoroughly checked the office premises and noticed number of small wads of currency notes of Rs.25,750/- on the computer table beside the computer in the server room and an amount of Rs.1730/- was found on the table in the agricultural market committee counter and the said amount of Rs.27,480/- was seized by the Deputy Superintendent of Police for further enquiry purpose. It was also found that the drivers/crew members, who were coming for stamping on their documents, giving bribes ranging from Rs.300/- to 500/- at Commercial Taxes Department counter and Rs.10/- at Agricultural Market Committee counter and an amount of Rs.23,500/- was collected at the counters from 05.00 AM to 06.30 AM and the Deputy Superintendent of Police seized the said amount for enquiry. The Deputy Superintendent of Police secured the presence of drivers and examined them and recorded their statements. They categorically stated that it has been a regular process for them to come to the Commercial Tax department and Agricultural Market Committee counters for stamping. At the time of stamping, they simply bring their bills, invoices, way bills, delivery challans and loading passes to the counters and when they pay the bribes ranging from Rs.300/- to 500/- to the staff of the check post or their unauthorized agents (private persons), the staff affix the stamp on the way bills of their vehicle without physically verifying the goods being transported and the vehicles and vehicle records pertaining to them.

On perusal of the duty roster, it was found that the Government servant allowed the staff of Integrated Check Post to go on casual leave even not keeping minimum staff in the shifts. During the proceedings, it is found that Government servant failed to maintain the attendance register since 10.02.2016 and the Government servant also failed to implement the instructions of the superiors in this regard.

The check post officials are supposed to check each and every vehicle passing through the check post to find out the violations made by them under M.V.Act and Rules, Commercial Tax Act etc., and they are supposed to collect the tax dues and fine amounts accordingly. But they were allowing the vehicles to pass through the check-post without verifying the vehicles and the vehicle records by abusing their official position and collecting bribes thereby causing huge loss to the Government exchequer.

Further as per the Government orders, a notice board with phone numbers of higher authorities to report grievances should be displayed but the incharge of the check post has utterly failed to comply the orders issued by the Government.

The Government Servant failed to supervise the functioning of duties by the staff of the check post to conduct checking of the vehicles physically. He failed to maintain the attendance register and also failed to implement the instructions of the superiors in this

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regard. He failed to comply the orders issued by the Government to maintain a notice board with phone numbers of higher authorities to report grievances in the check post premises and he failed to supervise the work turned out by his subordinates and allowed them to collect mamools from the crew members by engaging the brokers throughout the day and made it as a routine practice. He allowed the staff of Integrated Check Post to go on casual leave. By holding a supervisory post, he failed to take all possible steps to ensure the integrity and devotion to duty by all his subordinates working under his control and authority.

Thus the Government Servant by his above mentioned acts exhibited lack of integrity, devotion to duty, slack supervision and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular departmental action for major penalty.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

DOCUMNETARY EVIDENCE:-

1	Original mediators report dated on 12.03.2016 from 04.30 AM to 09.30 AM drafted at ICP, Purushottapuram,Itchapuram
2	Attendance Register
3	Duty Register
4	Duty Roster Sheet
5	Personal Cash Declaration Register
6	Statement of Sri. Alluvada Sivaji Patnaik, S/o Suryanarayana Patnaik, age 57 years, 231/91/22, Prasanthinagar, Ichapuram town, Srikakulam District
7	Statement of Sri.Kuppannagari Srinivas, S/o late Satyarao, age 29 years, Purushottapuram, Ichapuram mandal, Srikakulam District
8	Statement of Sri. Neyyila Dhilleswara Rao, S/o Gangadhara Behra, age 28 years, Peddaveedhi, Purushottapuram village, Ichauram mandal, Srikakulam District
9	Statement of Sri. Nandiki Chinna, S/o late Ramulu, age 30 years, Purushottapuram village, Ichapruam mandal, Srikakulam District
10	Statement of Sri Ganjala Narayana Rao, S/o Nageswara Rao, age 50 yrs, Veerankilaku village, Pamidimukkala mandal, Krishna District. Driver of lorry AP 16 TW 1985
11	Statement of Sri Bhogadi Leelamanohar, S/o Yanavendra Rao, 22 years, Puligadda village, Avanigadda mandal, Krishna District. Driver of lorry AP 16 TV 6827
12	Statement of Sri Dodda Lakshmana Rao, S/o late Apparao, age 44 years, East Ganugudem village, Rajanagaram mandal, East Godavari District. Lorry driver of AP 05 TF 0018
13	Statement of Sri Kuruva Eswaraiah, S/o yellayya, 31 years, Sudireddipalli village, Kurnool mandal & District. Driver of lorry AP 05 TC 0448
14	Statement of Sri Bantu Nagasuri, S/o Suribabu, aged 45 years, Chinganippula Agraharam village, Anakapalli mandal, Visakhapatnam District. Driver of lorry AP 31 TW 3459
15	Statement of Sri Duggana Venkata Ramanamurthy, S/o Somulu, age 55 years, Malkapuram, Near Durga Mandir, Visakhapatnam. Driver of lorry OR 10J 7890
16	Statement of Sri Rella Kurma Rao, S/o late Apparao, age 44 years, Patrunivalasa village, Srikakulam mandal, Srikakulam Rural mandal, Srikakulam District. Driver of lorry AP 30 V 3456
17	Statement of Sri Velichetti Suresh, S/o Ramu, age 33 years, Drivers Colony, Gajuwaka, Visakhapatnam. Driver of lorry AP 05 V 6777.
18	Reply from Administrative officer, ICP, Purushottapuram vide Rc.No.11/2016 HC dated 20.04.2016 along with service particulars of charged officer.
19	If any document required, will be submitted

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

ORAL EVIDENCE:-

1	Sri Suvvari Venkata Surya Prakash, S/o late Satyanarayana, age 57 years, Asst. Project Director, DWMA, Srikakulam. R/o Door No. 7-16-8/4, Tumma Street, Srikakulam
2	Sri Kamba Muralikrishna, S/o late Lingaraju, age 52 years, Dy. Statitical Officer, O/o Project Director, DWMA, Srikakulam. R/o 4-1-156/1, Kisan Seeds beside, Nanubala Street, Srikakulam. LW-1 & 2 speak about their presence as official mediators at the time of surprise check conducted on the integrated check post and observation of happenings at the check post and preparation of the proceedings etc facts.
3	Sri. Alluvada Sivaji Patnaik, S/o Suryanarayana Patnaik, age 57 years,-231/91/22, Prasanthinagar, Ichapuram town, Srikakulam District
4	Sri.Kuppannagari Srinivas, S/o late Satyarao, age 29 years, Purushottapuram, Ichapuram mandal, Srikakulam District
5	Sri. Neyyila Dhilleswara Rao, S/o Gangadhara Behra, age 28 years, Peddaveedhi, Purushottapuram village, Ichauram mandal, Srikakulam District
6	Sri. Nandiki Chinna, S/o late Ramulu, age 30 years, Purushottapuram village, Ichapruam mandal, Srikakulam District LW-3 to 6 speak that they are private persons engaged by the officials of ICP, Purushottapuram for collecting mamools from the transport crew for stamping on the papers of the vehicles that are being passed through the check post without verifying the records and goods of the vehicles.
7	Sri Ganjala Narayana Rao, S/o Nageswara Rao, age 50 yrs, Veerankilaku village, Pamidimukkala mandal, Krishna District. Driver of lorry AP 16 TW 1985.
8	Sri Bhogadi Leelamanohar, S/o Yanavendra Rao, 22 years, Puligadda village,- Avanigadda mandal, Krishna District. Driver of lorry AP 16 TV 6827
9	Sri Dodda Lakshmana Rao, S/o alte Apparao, age 44 years, East Ganugudem village, Rajanagaram mandal, East Godavari District. Lorry driver of AP 05 TF 0018
10	Sri Kuruva Eswaraiah, S/o yellayya, 31 years, Sudireddipalli village, Kurnool mandal & District. Driver of lorry AP 05 TC 0448
11	Sri Bantu Nagasuri, S/o Suribabu, aged 45 years, Chinganippula Agraharam village, Anakapalli mandal, Visakhapatnam District. Driver of lorry AP 31 TW 3459
12	Sri Duggana Venkata Ramanamurthy, S/o Somulu, age 55 years, Malkapuram, Near Durga Mandir, Visakhapatnam. Driver of lorry OR 10J 7890
13	Sri Rella Kurma Rao, S/o late Apparao, age 44 years, Patrunivalasa village, Srikakulam mandal, Srikakulam Rural mandal, Srikakulam District. Driver of lorry AP 30 V 3456
14	Sri Velichetti Suresh, S/o Ramu, age 33 years, Drivers Colony, Gajuwaka,_ Visakhapatnam. Driver of lorry AP 05 V 6777. LW-8 to 15 speak that they are crew members and the check post officials used to demand them to pay bribe/mamools and also speaks about collection of mamools by the private persons ranging from Rs.300/- to Rs.500/- to the staff of the CT dept and Rs.10/- to the staff of AMC of check post whose vehicles are passing through the ICP without causing any undue obstructions in verification of their vehicle records, permits and other documents.

15	Sri. S.Ananth, Head Constable. 1356 of ACB, Srikakulam Range
16	Sri T.Rama Rao, PC 2336 of ACB, Srikakulam Range
17	Sri Ch. viswanadham, PC 962 of ACB, Srikakulam Range
18	Sri. L.Chinnam Naidu, PC 486 of ACB, Srikakulam Range
19	Sri. T.Ramesh Babu, PC 553 of ACB, Srikakulam Range. LW-16 to 20 are ACB officials and they speak of their assisting the DSP, ACB during the surprise check and observations on the happening at the counters of check post.
20	Sri. K.Ranga Raju, Deputy Superintendent of Police, ACB, Srikakulam Range. He speaks to the fact of his supervision of surprise check conducted on the ICP, Itchapuram and observations on the happening at the counters of check post , about the collection of mamools by the officials of check post from the transport-drivers, apprehension of the private persons, seizure of amount, relevant documents and registers during the proceedings.
21	Sri. P.Srinivas Rao, Inspector of police, ACB, Srikakulam Range. He speaks to the facts of his assisting the DSP, ACB during the surprise check and observations on the happening at the counters of check post and obtained required information from concerned department and submitted the detailed report to the HO.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER